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## State of Misconsin 2019 - 2020 LEGISLATURE

LRBa0328/1 EAW:ahe

## ASSEMBLY AMENDMENT 3, TO ASSEMBLY BILL 188

June 13, 2019 - Offered by Representative Schraa.

At the locations indicated, amend the bill as follows:

1. Page 8, line 10: after that line insert:

"Section 19m. 301.37 (1m) of the statutes is amended to read:

301.37 (1m) Subject to the The rules promulgated by the department under sub. (1), shall allow a secured residential care center for children and youth may to use less restrictive physical security barriers than a Type 1 juvenile correctional facility while ensuring the safety of the public, staff, and youth. The rules promulgated under sub. (1) shall allow a secured residential care center for children and youth to be located in a portion of a juvenile detention facility or a Type 1 juvenile correctional facility. A secured residential care center for children and youth that is located in a portion of a juvenile detention facility or a Type 1 juvenile correctional facility shall provide trauma-informed, evidence-based programming and services as required by the department under s. 938.48 (16) (b).".

**2.** Page 9, line 8: delete lines 8 to 11 and substitute:

"938.02 (15g) "Secured residential care center for children and youth" means a facility that complies with the requirements of ss. 301.37 and 938.48 (16) (b) operated by an Indian tribe or a county under ss. 46.20, 59.53 (8m), 301.26, 301.27, and 938.22 (1) (a) or by a child welfare agency that is licensed under s. 48.66 (1) (b) to hold in secure custody persons adjudged delinquent."

- 3. Page 14, line 12: after "met." insert "A court may not order a placement under this paragraph at the Mendota juvenile treatment center that the department has not approved. A juvenile under the supervision of a county in a secured residential care center for children and youth who is transferred to Mendota juvenile treatment center under this paragraph remains under the supervision of that county.".
  - **4.** Page 18, line 1: before that line insert:

"Section 45m. 938.48 (16) (b) of the statutes is amended to read:

938.48 (16) (b) Promulgate rules governing services and programming for juveniles in a secured residential care center for children and youth. The department rules shall include uniform data reporting standards for require counties or Indian tribes that operate or contract with a child welfare agency for a secured residential care center for children and youth in rules promulgated under this paragraph to implement trauma-informed principles and evidence-based practices at the facilities and shall include uniform data reporting standards. The department shall base the rules it promulgates under this paragraph on the recommendations provided by the juvenile corrections study committee under 2017 Wisconsin Act 185, section 110 (6) (c) 1.".

	<b>5.</b>	Page 2	5. line	24:	after	that	line	insert
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"(2m) Secured residential care centers for children and youth; variance for cost-saving measures. The department of corrections shall grant a variance from the rules promulgated under s. 301.37 requested by a county for a secured residential care center for children and youth if all of the following apply:

- (a) The juvenile corrections grant committee determines that the variance is necessary to achieve a reasonable cost-saving measure that will not compromise the quality or type of evidence-based, trauma-informed care that is offered at the facility or determines that the variance is necessary to incorporate new practices of evidence-based, trauma-informed care at the facility.
- (b) The juvenile corrections grant committee includes the variance in its recommendations for funding to the joint committee on finance under 2017 Wisconsin Act 185, Section 110 (4) (e).
- (c) The proposed secured residential care center for children and youth, including the proposed variance, is part of the plan approved by the joint committee on finance and receives funding from the juvenile corrections grant program under 2017 Wisconsin Act 185, Section 110 (4).
- (d) The proposed secured residential care center for children and youth meets the minimum requirements of the commercial building code adopted under subch. I of ch. 101.".

(END)